PART I - ADMINISTRATIVE

Section 1. General administrative information

Title of project

Acquisition Of Malheur Wildlife Mitigation Site.

BPA project number: 20137
Contract renewal date (mm/yyyy): ☐ **Multiple actions?**

Business name of agency, institution or organization requesting funding
Burns Paiute Tribe

Business acronym (if appropriate) BPT

Proposal contact person or principal investigator:

Name	Daniel Gonzalez/Haace St.Martin
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NPPC Program Measure Number(s) which this project addresses
Section 11, 11.1, 11.2, 11.3

FWS/NMFS Biological Opinion Number(s) which this project addresses

Other planning document references
Oregon Trust Agreement Planning Project, perpared by Oregon Wildlife Managers for Bonneville Power Administration, project #92-84 BPA; Assessing Oregon Trust Agreement Planning Project using GAP Analysis, prepared by ODFW for BPA; Status of the Inertior Columbia Basin:summary of scientific findings, USDA Forest Service, ODFW District Wildlife Management Plans; North Fork Wild and Scenic Management Plan, USDA 1993; Malheur River Wild and Scenic Management Plan, USDA 1993.

Short description
The project would protect and enhance critical fish and wildlife habitat. The project consist of riparian/riverine that can be restored to its natural state. In many places there are large areas of shrub steppe that can provide significant HU's.

Target species

Redband trout, Bull trout, Mule Deer, Elk and Antelope, Sanhill Cranes.

Section 2. Sorting and evaluation

Subbasin
Malheur River Subbasin

Evaluation Process Sort

CBFWA caucus	Special evaluation process	ISRP project type
Mark one or more caucus	If your project fits either of these processes, mark one or both	Mark one or more categories
☐ Anadromous fish ☐ Resident fish ☒ Wildlife	☐ Multi-year (milestone-based evaluation) ☐ Watershed project evaluation	☒ Watershed councils/model watersheds ☐ Information dissemination ☐ Operation & maintenance ☐ New construction ☐ Research & monitoring ☒ Implementation & management ☒ Wildlife habitat acquisitions

Section 3. Relationships to other Bonneville projects

Umbrella / sub-proposal relationships. List umbrella project first.

Project #	Project title/description
9705900	Securing Wildlife Mitigation Sites-Oregon
20136	Burns Paiute - Mitigation Coordinator

Other dependent or critically-related projects

Project #	Project title/description	Nature of relationship
9705900	Stinkingwater Salmonid Project	Bull trout/redband trout life history study. This study is being conducted in the same river basin.
9107	North Fork Malheur Bull Trout/Redband Trout Life History Study	Bull trout/redband trout life history study. This study is also being conducted in the same river basin.

Section 4. Objectives, tasks and schedules

Past accomplishments

Year	Accomplishment	Met biological objectives?
1	BPA and Trust for Public Lands have initiated negotiations with landowner.	

Objectives and tasks

Obj 1,2,3	Objective	Task a,b,c	Task
1	Aquire Denny Jones Ranch	a	Purchase property
		b	Seek out opportunities to form partners for a demonstration project.
2	Evaluate Conditions	a	Conduct inventories: Riparian, wetland, upland, vegetation and aquatic.
		b	Use HEP as methods to inventory above.
		c	Develop mitigation plan, HU contract with BPA
3	Develop management plans for project site.	a	Work with local, state, federal and other appropiate entities.
		b	wildlife plan.
		c	fisheries plan.
		d	vegetation and noxious weed plan.
		e	limited grazing plan.
		f	geology plan
		g	archeology plan
4	Enhance fish & wildlife habitat.	a	Develop management plans based upon HEP evaluation.
		b	Monitor enhancements based on HEP Models

Objective schedules and costs

Obj #	Start date mm/yyyy	End date mm/yyyy	Measureable biological objective(s)	Milestone	FY2000 Cost %
2	6/2000	10/2000	Inventory condidtions		0.00%

				Total	0.00%

Schedule constraints
Delays due to extensive landowner negotiations and slow response time from the regulatory agencies reguarding insuance of permits for proposed project. Issues of crediting this project to dams with inundation and contruction losses.

Completion date
acquisition - FY 99, Enhancement - FY 2000, O&M - ongoing. Once the mitigation losses associated with the hydroelectric facilities have been fully mitigated for through the acquisition & enhancement of habitats the programs will only require O&M funds.

Section 5. Budget

FY99 project budget (BPA obligated): $1,981,178

FY2000 budget by line item

Item	Note	% of total	FY2000
Personnel	Wildlife Biologist 2080hrs @ 16.90 Program/site Manager 2080 @ 13.90	%3	64,112
Fringe benefits	25%	%1	16,028
Supplies, materials, non-expendable property	Purchase existing haying equipment and implements, 1 flatbed 1-ton truck, ATV	%10	200,000
Operations & maintenance	6700 acres @ $15/acre	%5	100,500
Capital acquisitions or improvements (e.g. land, buildings, major equip.)	Acquisition cost	%69	1,400,000
NEPA costs	estimate	%7	150,000
Construction-related support		%0	
PIT tags	# of tags:	%0	
Travel	120 miles round trip X 4 days X 20 weeks @.31/mile	%0	3,000
Indirect costs	26.3%	%5	96,439
Subcontractor		%0	
Other		%0	
TOTAL BPA FY2000 BUDGET REQUEST			$2,030,079

Cost sharing

Organization	Item or service provided	% total project cost (incl. BPA)	Amount ($)
		%0	
		%0	
		%0	
		%0	
	Total project cost (including BPA portion)		$2,030,079

Outyear costs

	FY2001	FY02	FY03	FY04
Total budget	$100,500	$100,500	$100,500	$100,500

Section 6. References

Watershed?	Reference
☐	Beschta, R.L., and W.S. Platts and J.B. Kauffman. 1991. Field review of fish habitat improvement project in the Grande Ronde and John Day River Basins of eastern Oregon. DOE?BP-21493-1. US Department of Energy, Bonneville Power Administration, Portland, O
☐	Beschta, R.L., W.S. Platts, J.B. Kauffman and M.T.Hill. 1994. Artificial stream restoration-money well spent or an expensive failure? university Council on Water Resources Annual Conference, Big Sky Montana, Carbondale, IL
☐	Bonneville Power Administration 1997b. Watershed Management Program Final Enviromental Impact Statement. DOE/EIS-0265. Bonneville Power Adminstration, Portland, OR
☐	Bonneville Power Administration 1997b. Wildlife Mitigation Program Final Environmental Impact Statement. DOE/EIS-0246. Portland,OR
☐	Bonneville Power Administration 1997c. WildlifeMitigation Program Record of Decision. DOE/EIS-0246. Portland,OR
☐	Kauffman, J.V., R.L. Beschta, N. Otting and D. Lytjen. 1997. An ecological perspective of riparian and stream restoration in the western United States. Fisheries 22:12-24.
☐	Beak Consultants, Incorporated,1993. Audit of wildlife loss assessments for federal dams on the Columbia River and its tributaries. Prepared for the Northwest Power Planning Council, Portland, OR.
☐	Bonneville Power Administration. 1993. Oregon Trust Agreement Planning Project: Potential Mitigation
☐	Oregon Department of Fish & Wildlife. 1997. Assessing Oregon Trust Agreement Planning Project Using GAP Analysis. In fullfillment of Project # 95-65. Prepared for Bonneville Power Administration;
☐	Northwest Power Planning Council 1994. Columbia Basin Fish and Wildlife

	Program. NPPC 94-55. Northwest Power Planning Council, Portland, OR.
☐	

PART II - NARRATIVE

Section 7. Abstract

The Burns Paiute Tribe is proposing to acquire the Denny Jones Ranch in Juntura, Oregon. This acquisition would allow the Tribe to manage 6700 acres of richly diverse property on the Malheur River. The ranch holds deed to ~ 7 miles of the Malheur River which includes 328 acres of 1888 water rights and leases 21,000 acres of BLM and 4000 acres of state land.

The project will benefit a diverse population of fish, wildlife and vegetation species. Objectives would include: removal of cattle from damaged riparian, wetlands and upland areas, fencing, riparian restoration and enhancement, increase wildlife use and reestablish historical home range for migratory species, weed control and maximize water quality.

Currently, the ranch is in very poor condition. The present land practices contributes to the degradation of land and water quality. According to federal and state officials, the Malheur River is highly impacted by the current grazing practices. Initial HEP estimates have or will be taken on all sites identified by the planning process. Once sites are acquired or under management, a full baseline HEP analysis for current and potential HU's will be taken and agreed to by project proponents and BPA. Bonneville Power Administration and the region that contracted habitat goals are met. Additionally, Oregon's Wildlife Managers will work with the WMC to develop monitoring protocols for populations of target and non-target species, as called for by the ISRP.

This is an on-going project that was approved in FY 98 to fund in FY 99. Once agreements between the Oregon Wildlife Coalitions Members are approved on where FY 99 dollars should be applied, further actions will continue.

Section 8. Project description

a. Technical and/or scientific background

1. Council Program

The Council's Fish & Wildlife Program is very clear in stating that construction and operation of the federal Columbia Basin hydropower system is a cause of habitat loss for wildlife, and that it is Bonneville's responsibility to mitigate for those losses. The losses due to construction have been assessed, independently audited and verified, and adopted into the Council program. These losses include losses of Habitat Units (HU's) for all major wildlife species at each hydro project, and have been prioritized by habitat types with target species. The Council's wildlife program goal is to "fully mitigate for wildlife losses from hydropower in the Columbia River Basin". Specifically the program says "The goal of this program's wildlife strategies to achieve and sustain levels of habitat and species productivity as a means of fully mitigating wildlife losses…" Acquisition of HU's is the Council's "preferred method" for wildlife mitigation. This can be done either by

habitat to provide additional HU's (if possible). The implementation component of this project consists of specific implementation of projects to provide HU's of the highest possible priority habitat types for target species to provide crediting to BPA for documented hydropower losses.

In addition to the Council program, the assessments and calculations of wildlife losses mitigation credits are found in multiple documents written over a period of six-year (Bedrossian et. Al. 1985; Noyes et. Al. 1985a, 1985c, 1985d, 1986; Preston et.al. 1987, Rasmussen and Wright 1990a, 1990b, 1990c, 1990d). The Council program is also very clear in calling for BPA to develop short-term interim five-year agreements with wildlife managers, specifically the state of Oregon and the appropriate Indian tribes. In the eyes of the Oregon Wildlife Coalition (OWC), this project, fully funded through 2001 as budgeted by the Wildlife Managers Caucus (WMC), may be a way for BPA to meet this goal. Additionally it will provide the framework to reach the Council's goal of BPA developing long-term agreements of all wildlife Mitigation in Oregon.

2. GAP analysis

The Bonneville Power Administration GAP Project was conducted by the Oregon Department of Fish & Wildlife (ODFW) Wildlife Diversity Program. This project drew from the efforts of the Oregon Trust Planning Project (OTPA). Both projects were funded by BPA through the Northwest Power Planning Council (NWPPC) Fish & Wildlife mitigation program.

The BPA GAP project developed a series of databases and Geographic Information System (GIS) data layers which may be used for potential mitigation projects evaluation by the Oregon Wildlife Coalition (OWC) members. Combined with the findings of the OTAP a suitable for BPA mitigation and which remaining projects could be implemented in the near future. Multiple queries landscape level GIS data were conducted as part of the GAP analysis portion of the project. The results characterize the potential contribution to the mitigation target species and habitats. In addition, the role project might play in conservation planning, within the range of habitat types and conditions statewide, was determined.

Wildlife Mitigation Project

The Burns Paiute Tribe of Oregon is submitting this wildlife project as a mitigation proposal under the Northwest Power Planning and Conservation Act Public law 96-501.

This project is within the Malheur River Basin. The acquisition of this property would give us the opportunity to gain an important part of the Malheur River that has been identified by the Malheur Wild and Scenic River Management Plan (1993) and the North Fork Malheur Scenic River Management Plan (1993) as an important area for restoration. The goals and objectives of this project would fall directly into these management plans.

Resource assessments include archaeological, geological and paleontological. There has been two Indian graves found on the ranch. One has been looted and the other one still remains preserved according to ranch owner Denny Jones.

Although this section of the Malheur River continues to support a variety of native and exotic species of fish, the quality of survival of fry and their viability is very poor. Due to the loss of riparian cover in much of the basin, water temperature are elevated and are likely to be an impediment to fish production in many protons of the river. The quality of the upland is very poor as well. According to state biologist, the forage on the ranch is primarily taken up buy the

livestock with little left to support any other type of native ruminant. Deer road kill is increasingly high in this section of the ranch due to poor quality winter range forage. This is due mainly to overgrazing and the loss of a good portion of the native riparian vegetation.

Overgrazing has also been attributed to the increase of noxious weed in and around the ranch property. While much of the upland is in good condition, there are areas that are in very poor condition such as the creek bottoms of most of the ravines and canyons. These areas are highly accessible to livestock and are used and grazed for extensive periods.

The project will link adjacent properties owned by the Bureau of Land Management. Cooperative management agreements will lead to a much greater area being managed for the species in question as well as greater species diversity.

The techniques that will be employed for restoration will primarily involve the restrictions of activities that significantly impact aquatic, riparian and upland ecological functions. The use of natural restoration on such large scale is a concept that has not yet been adequately tested. This project provides a unique opportunity for testing and modeling passive testing in the southeast region of Oregon (Beschta 1991) (Beschta 1994) (Kauffman 1997).

The Malheur River was a very important area for the Burns Paiute Tribe. This area is directly related to the historical aboriginal sites of the tribe. Tribal members have used the Malheur Basin for thousands of years. Of the few remnant native salmonids left in the upper Snake and Malheur River, redband, bull trout and other native species as well as extinct populations of anadromous fish, were very important food sources for the tribe, comprised of a number of migratory bands of Northern Paiutes.

The goal of the Burns Paiute Tribe is to restore the ecosystem functions of the Jones Ranch and enhance its many diverse resources. An integrated cooperation program with state and federal agencies will accomplish this. The techniques used will be primarily passive restoration that focus on the minimization of activities that are causing degradation or preventing the recovery of the native habitat. This will be done throughout the entirety of the deeded and leased land**.**

Resource Value of the Jones Ranch

The Jones Ranch is located on the Malheur River approximately 8 miles east of Juntura. It is bisected by Highway 20, with approximately 1/8 of the ranch on the north side of the highway and 7/8 on the south side. The total deeded acreage is 6700 with 328 acres of 1888 water rights. The ranch also includes 21,000 acres of BLM lease and 4000 acres of state lease. On the BLM land, there are 12 stock ponds that are in current use by the Jones Ranch. The property also comes with 2 houses, 1 tenant house and 1 bunkhouse. There are 3 irrigation pumps on the property that feed out of the river; 2-10 horsepower and1 - 7-½ power pumps. The land yields an average of 1200 tons of alfalfa (1/3) and meadow grass (2/3). Approximately 7 miles of the Malheur River is part of the 6700 acres of deeded land.

Resources:

Wildlife: Many wildlife species benefit from the cover and forage provided by a moderate native shrub component in addition to the native grasses and forbs within vegetation communities of the

Jones Ranch. Theses species included sage grouse, and loggerhead shrikes, both of which are a State of Oregon, Category 2 candidate species.

Sage grouse leks have been identified on the surrounding allotment adjacent to the Jones property. Sage grouse need a mosaic of habitat types for structuring, nesting, brood rearing and wintering. Baseline data on special status wildlife species other than sage grouse is lacking. Potential habitat for these special status species such as the loggerhead shrike, burrowing owl and Mojave black collared lizard are present.

Middle to late seral stage vegetation communities generally best meet forage and cover needs of many wildlife species. The presence of sage grouse suggests that the shrub cover/forage ratio is adequate for many sagebrush dependent wildlife species. Middle to late seral stage vegetation communities are found on the Jones Ranch. Wintering big game also utilize early spring growth on cheatgrass found primarily within the lower elevations of the Malheur River Canyon and the Jones property.

On the BLM allotments, some species, such as burrowing owls, are associated with early seral conditions found in portions if Horse Camp and Dinner Creek. Within the BLM allotments, there are several perennial creeks and streams that flow into the Malheur River via Jones Ranch (see Fisheries).

The Jones Ranch is located important mule deer and Rocky Mountain elk wintering range. According to state and federal officials, the ranch has a high potential to increase the habitat and vegetation for a longer sustainable use by migratory wildlife.

Fisheries: Many tributaries of the Malheur River historically supported redband trout and bull trout as well as anadromous forms of salmonids. Bull trout are now on the Endangered Species Act list and Redband are a category two species. Known populations of redbands remain in Canyon Creek and Hunter Creek of the Jones Ranch.

Many waterways flow through the Jones Ranch and surrounding allotments on through to the Malheur River. Creeks are as follow: Hunter Creek, Dinner Creek, Deadhorse Creek, Canyon Creek, Indian Creek, Sperry Creek, Saddlehorse Creek, Pine Creek, Swamp Creek, Black Canyon Creek and Dipping Creek. Along with these creeks, the Jones Ranch has 328 acres of 1888 water rights.

Riparian: Hunter Creek is a perennial stream with a moderate gradient that flows through Horse Camp and Dinner Creek pastures. The upper stream has cut through deep silty soils in the past, leaving steep, easily erodible banks. As the stream continues, the stream channel becomes more stable with some short stretches of bedrock. Redband trout are present in the stream. Woody species are not present along much of the riparian area but woody debris indicates past presence. Canyon Creek is a perennial stream with moderate gradient.

The riparian areas along the Malheur River are highly degraded and eroding. This can be attributed to many environmental and human causes. The banks along the grazed areas show evidence of hoof shear, bare soil, vegetatably unstable and little to no woody plants. Much of this area has been cleared of the willows and shrubs along the banks to increase grass growth.

In high water events, the banks erode at an elevated rate. There is little vegetation during the high flows to hold down any soil. Most of these allotments are used as winter feeding sites by the ranch because of the convenience of its location. Livestock are left along the banks until early

spring. You can only imagine the condition of the banks during high flows or when large amounts water is released from Beulah or Warmsprings Reservoirs.

In conclusion, the riparian zone, redband trout and wildlife would benefit from a change in grazing management on the pastures and along the Malheur River. Changing the season of use to enhance riparian regeneration or partitioning the pastures and wetlands into smaller grazing units are possible alternatives to allow recovery and grazing use.

The project is consistent with all known local, state, federal and tribal laws. The NW Power Planning Council under the Columbia Fish and Wildlife Program has approved similar projects in the State of Oregon. Bonneville, including the recent Northeastern Oregon Wildlife Project, involving the Nez Perce Tribe has successfully implemented several of these projects. The Project is covered under Bonneville's Wildlife (BPA 1997b, BPA 1997c).

b. Rationale and significance to Regional Programs

This project is consistent with all known local, state, federal and tribal laws. The NWPPC has approved similar projects in Oregon and other states. BPA has successfully implemented other projects in Oregon in the last eight years. The project is covered under BPA Wildlife Watershed Programmatic EIS documents (BPA 1997b, BPA 1997c, and BPA 1997a). The project is consistent with Section 7.6 of the FWP with calls for watershed based habitat restoration focusing on protecting of wild and natural populations. It is also consistent with Section 11 of the Program with identifies wildlife resource and habitat needs.

c. Relationships to other projects

The Oregon Trust Agreement Planning Project 92-84, Assessing Oregon Trust Agreement Using GAP Analysis 95-65, and Securing Wildlife Mitigation Sites-Oregon 9705900 are the pre-planning and planning projects upon which the identification and selection of mitigation projects in Willamette basin and other Columbia tributary basin are based. Currently there are several projects proposed under this umbrella project for Securing Wildlife Mitigation Sites-Oregon, but none have moved forward at this time.

d. Project history (for ongoing projects)

1. History of Bonneville Wildlife Mitigation Efforts.

Under the Northwest Power Act, the Council is required to include in its Fish & Wildlife Program measures to "protect, mitigate, and enhance" fish & wildlife affected by the development and operation of hydroelectric facilities on the Columbia River and its tributaries. Bonneville's Administrator is required to use his funds and authorities to carry out such mitigation in a manner consistent with the Council's Programs.

Prior to 1988: At the Council's direction, Bonneville funded wildlife loss studies for construction of and inundation by the major hydroelectric dams. The first studies completed were those for Libby and Hungry Horse Dams. The Council reviewed the losses, amended its Program to specify

the number of acres of habitat and species that would adequate mitigation and authorized Bonneville to proceed with mitigation projects.

Rather than carry out mitigation itself, Bonneville undertook negotiations with the State of Montana with the intent if having Montana undertake the mitigation. Because year to year contracts with Montana were not viewed as an administratively practical way of acquiring and maintaining habitat, the Council and the region's utilities encouraged Bonneville to consider establishing a trust find, giving Montana flexibility to acquire and maintain habitat as the opportunities arose.

Bonneville was initially reluctant to consider trust funds because they felt such arrangements would give inadequate control over outcome of the mitigation. Bonneville eventually decided that a trust fund would be a good idea. In exchange, it could get the state to agree to 1) a once for all time settlement of Bonneville's wildlife obligation and. 2) To a hold harmless clause which would make the state liable for any additional mitigation which the Council or anyone else might require during the next 60 years.

Council position on wildlife agreements: Bonneville asked for the Council's response to this type of mitigation trust, and the Council replied in a July 14, 1987 letter from chairman Bob Duncan. Basically the Council said that trusts are a good funding vehicle but that once for all time settlements were not in tune with either the Northwest Power Act or with FERC practice regarding mitigation at private hydroelectric facilities. This position was reiterated in subsequent amendments to the Program and is reflected in the current Council Program, where the Council endorses agreements (short-term (Section 11.3D and long-term Section 11.3E) as the preferred method for implementing wildlife mitigation.

WILDLIFE RULE: In November 1989, the Council took up wildlife mitigation for most of the remaining federal hydroelectric projects in the Columbia River basin. Because there was widespread disagreement about the loss estimates and the hydropower share of those losses, the Council did not make any determination about the total mitigation due at any of these projects. Instead, the Council amended the Program to include a wildlife mitigation goal of achieving 35% of the agency-submitted losses during the next decade, using the agency estimates as a "starting point".

The Wildlife Rule established a two-track process (including project specific criteria) for implementation of wildlife projects. One track called for projects to be submitted to Bonneville under the Implementation Planning Process. Once projects are reviewed and selected for inclusion in the Bonneville Annual Implementation Workplan the Council's Wildlife Advisory Committee reviews them. The other track permits agreements if agreed to by all parties for particular facilities.

Oregon Wildlife Coalition

In 1991 the Oregon Wildlife Coalition (OWC) was formed. It was made up of wildlife managers from the Oregon Department of Fish & Wildlife (ODFW), the Confederated Tribes of the Warm Springs Reservation in Oregon (CTWSRO), the Confederated Tribes of the Umatilla Indian Reservation, the Burns Paiute Tribe (BPT), and the U.S. Fish & Wildlife Service (USFWS). The Coalition developed proposals to address Bonneville concerns for having an "outcomes" based approach and then submitted a proposal for an Oregon planning process to the Council later that year. From fall of 1991 to 1992 the OWC negotiated with Bonneville over funding the proposal,

which in July of 1992 became the Oregon Trust Agreement (OTA) Planning Project (BPA #92-84).

In October of 1993, after a year of development the OWC publishes an Oregon planning document, the "Brown Book". Then in January of 1994 they begin meeting to formulate a strategy for trust negotiations with Bonneville and February the Coalition requests in writing that Bonneville begin negotiations. This met the Council's deadline for trying to get to interim agreements within 90 days after the rule went into effect. In March Bonneville responds positively and identifies its' lead negotiators.

Between April and July five coalition sessions were held; Bonneville attended 3 of those meetings. At the initial meeting it was agreed that the parties would develop principles of negotiation. The parties exchanged documents on these issues and agreed that negotiations should initially focus on technical issues that would define the biological basis for mitigation before the issue of money was discussed. Bonneville negotiators agreed to this strategy. It was agreed that the discussions would be the "Brown Book" losses and the Oregon mitigation planning proposal. It was proposed that a technical committee, including both
Bonneville staff and coalition members would work together to develop the technical proposal. Bonneville stated that they would have to get the administrators concurrence before they could commit to such a procedure. The process then broke down when it became apparent that no funds would be available and that Bonneville was moving away from trust funds. The Coalition stopped meeting for over a year.

During these years the Council's wildlife advisory group had become the Wildlife Working Group (WWG/ Now the CBFWA Wildlife Managers Caucus), made up of all the wildlife managers in the Columbia Basin. They meet regularly to help implement the Council's wildlife rule and in doing so developed, reviewed and adopted habitat assessment tools and strategies. Once I became apparent from the Council's 1995 rule making and the MOA negotiations that wildlife funding would become stable at approximately $15 Million per year through 2001, the WWG started discussions of both long- and short-term funding for future wildlife mitigation in the Basin. Various strategies were discussed, but all agreed that Oregon had not received a reasonable share of funding spent to date. In the end a budget was developed and adopted by the WWG covering Bonneville funds through 2001 (attached). This budget called for Oregon's wildlife mitigation to receive $275k in FY97, $500K in FY98 $4M in FY99, $5M in FY00, $6M in FY01. The first two years are for planning and coordination, the next 3 for project implementation. In helping develop this budget as members of the WWG, Oregon's coalition members agreed to come together once again to start developing strategies on how best to implement wildlife mitigation in Oregon. Also, at this time a project to reaffirm the original findings of the OTAP planning project was completed. This project, Assessing Oregon Trust Agreement Planning Process Using GAP Analysis (BPA # 95-65), Provided a more rigorous scientific/policy filter on the sites originally identified in the "Brown Book" and demonstrated the validity and applicability of that effort.

The OWC has met continually since this time and developed coordination and planning budget for FY97, which due to contracting problems was not, initiated until fall of 1997. This allowed the entities involved to provide staff dedicated to this planning and implementation effort. For FY98, since much of the coordination for this year was using FY97 funds, the coalition developed and proposed the initiation of a small group of projects scattered throughout the state along with some continued funding of planning and coordination. For the current year specific project areas have been identified for purchase, enhancement or O&M along with a small coordination budget.

The OTAP consisted of two parts. The first was the compilation of database, which contained information about potential mitigation sites. This information originated from OWC project sponsors, various tribal and state management and mitigation plans, and Oregon Natural Heritage Database. The second component of the OTAP consisted of gathering land values from recent land sales and appraisals within the geographic areas and habitat types where mitigation activities were likely to occur. A range of potential trust agreement cost was also calculated. This range was based upon the assumption of complete mitigation for the wildlife losses in Oregon.

The BPA GAP Project used the database component of the OTAP as a baseline information source for the Purposes of analysis. The economic valuation information was not used for the GAP analysis but a current version of similar information is being compiled by the regional Wildlife Managers Caucus (WMC) for project evaluation. Additionally, new economic information will most likely be incorporated in fiscal year 1998 during the implementation phase of the BPA GAP Project. It is noteworthy that BPA has determined that "wildlife trust agreements" are no longer considered the preferred method of developing statewide agreements.

The Oregon Trust Agreement Planning Project and the GAP analysis

The BPA Oregon Trust Agreement Planning Project (OTAP) was initiated in 1992 by the OWC to create a list of potential wildlife mitigation opportunities by priority, and attempt to determine the costs of mitigating wildlife losses in Oregon. The end result of this was the "Brown Book", Which identifies 287 potential sites from over 500 reviewed, using Council and OWC developed criteria as a basis for evaluating (please see methods section). This information originated from OWC project sponsors, various tribal and state management and mitigation plans, and the Oregon Natural Heritage Database. At the time of completion these potential sites were "available", and the OWC had developed cost estimates for general habitats within the mitigation area, based on estimates from certified appraisers. The findings of the "Brown Book", and it's corresponding database, lay somewhat dormant until 1995 (please see history). Starting in 1995, at the request of Bonneville, The " Assessing Oregon Trust Agreement Planning Project Using GAP Analysis" project was conducted by ODFW Wildlife Diversity Program. The project propose was to assess the findings of the Brown Book, upgrade and provide more detailed information on the 287 previously identified sites (and to include any new sites that had since been identified), and to develop more refined methods to evaluate the project potential contribution to the mitigation of target species and habitat. Additionally, the role a project might play in conservation planning, within the range of habitat types and condition statewide, was determined. Specifically, the primary goal of this project was to prioritize and depict the contribution of each proposed mitigation site to target species and habitats as well as bio-diversity in the state and/or Eco-region within which it is found. It is important to note that the primary objective of the mitigation program is to mitigate for habitat and species lost through construction impacts. That objective is met and often exceeded when potential mitigation sites are selected using a GAP analysis.

The GAP project developed a series of databases and Geographic Information System (GIS) data layers, a tool used by the OWC to evaluate potential mitigation projects. Combined with the findings of the OTAP, a suitability analysis determined which projects were suitable for BPA mitigation now and which remaining projects could be implemented in the near future. Multiple queries of landscape level GIS data were conducted as part of the GAP analysis portion of the project. The result characterized the potential contribution to the mitigation target species and habitats. Future work by the OWC has and will involve the refinement of existing information and the generation of new projects based on criteria and methodology developed during this project.

Using Oregon Gap analysis, Oregon Trust Agreement Planning project and The NPPC fish & Wildlife program criteria for project development. USF&WS HEP procedures for determining habitat units for target species for evaluation & monitoring of any project approved. The NPPC and Bonneville Power Administration would require HEP procedures since losses are based on these methods.

This project was submitted for funding in 1999. The Acquisition of Malheur Wildlife mitigation site was reviewed last year and passed the Wildlife Managers Caucus ranking criteria. The project was placed in tier one for funding in 1999.

There are issues attached to a project in this particular location such as 1) Crediting this project to a hydroelectric dam for construction and inundation impacts and 2) The Northwest Power Planning Council has not addressed secondary impact issues.

The project is currently in phase II of negotiations with the landowner. This project would have a big impact on remnant bull trout populations that are in the mainstem Malheur in/on the Denny Jones property. Information on location & use could be determined by the Burns Paiute Tribes North Fork bull trout & Redband trout Study, Stinkingwater Salmonid (9107, 9701900).

e. Proposal objectives

1) Acquire land from Denny Jones

a. Complete necessary NEPA compliance surveys.
b. Secure title of property from Denny Jones.

2) Inventory Resource

a. Conduct surveys for baseline HEP.
c. Develop management plan based on HEP survey and desired future conditions.
d. Conduct complete fisheries analysis of river with in property.
e. Develop enhancement plan.
f. Develop an operation and maintenance plan.
g. Partner with BLM, Oregon Department of Fish & Wildlife, and Oregon Water Trust to implement habitat management plan that incorporates fish & wildlife issues.

f. Methods

Using Oregon Gap analysis, Oregon Trust Agreement Planning project and The NPPC fish & Wildlife program criteria for project development. USF&WS HEP procedures for determining habitat units for target species for evaluation & monitoring of any project approved. The NPPC and Bonneville Power Administration would require HEP procedures since losses are based on these methods.

Until monitoring and evaluation procedures established by the Wildlife Managers Caucus and the Northwest Power Planning Council the tribal biologist will use the following protocol:

HEP derived enhancement and maintenance activities will be monitored, in some cases on an annual basis, using photo plots and HEP Baseline habitat evaluation survey techniques; i.e. Visual

Obstruction Readings (VOR) for grassland seedings and line intercepts for shrub canopy closure measurements.

Photo plots and vegetation transects will be established on a permanent basis to facilitate future replications. Plot & transect methods and results will be recorded and maintained as a stand-alone document.

Tribal Biologist will replicate the Baseline HEP transects in areas not directly effected by enhancement or maintenance activities every 5 years for habitat trends analysis purposes. Reconciliation of enhancement & maintenance monitoring and habitat trends analysis reports should provide the Wildlife Managers Caucus & BPA with enough information to determine if the habitat mitigation objectives are being met.

Additional transects may be established by the tribe or HEP team to monitor population trends and vegetation's response to wildlife use. The HEP team will be invited to participate during monitoring activities as means to incorporate other perspectives/techniques. Records will be kept showing management treatments applied and the associated results compared to expectations. This data will be used in the evaluation process.

Evaluation of the desired future condition will be assessed every 5 years using field visits and annual monitoring data. The tribe and HEP team will determine whether the results provide a basis of change in management emphasis.

g. Facilities and equipment

The Project site has several structures on site. 2 home, 1 tenant, 1 bunkhouses, 1 shop, and a large Barn. 3 irrigation pump. To minimize cost we will use existing facilities on the property for field crews and tribal facilities to accommodate office work. No new facilities will be constructed for this project.

Equipment need for this site would be a trucks, thermographs, flow meters, GPS unit, nets, cameras measuring tapes, fencing equipment, and several pieces of farm equipment to continue limited farming & restoration work.

h. Budget

PERSONNEL

1 FTE (2080 hrs) biologist @ $35,200, (2080) 1 Program/Site manager @ $29,120
Total for salaries - $64,320

FRINGE

25% @ $16,028

NON-EXPENDABLE

Fencing material @ $3000/Mile X 10 miles = $30,000
ATV = $6,500
Flatbed Truck = $40,000

Purchase existing farm equipment = $123,500
Estimate = $200,000

O&M

$15/arce X 6700 = $100,500

CAPITOL ACQUISITION

Land cost =$1,400,000

NEPA

Estimate = $150,000

TRAVEL

120miles round trip X 4 Days/week X 7 months of field work @ .32/miles = $4,301

INDIRECT

26% = $96,839 Capitol expenses are not subject to indirect charges.

TOTAL PROJECT ESTIMATES = $2,030,079

Section 9. Key personnel

Daniel Gonzalez
Education: Bachelors of Science, Fisheries Science. Oregon State University. 1996
Bachelors of Science, Wildlife Science. Oregon State University. 1995

Tribal Fisheries/Wildlife Biologist, Project Leader. FTE 2080hrs. Duties include implementing and developing project designs, field collections, analyzing and interpreting data; writing annual and quarterly reports; active in Harney County and Malhuer-Owyhee Watershed Councils and Governors Watershed Enhancement Board. Monitor and administrate all budget activities.

Lawrence Schwabe
Education: Bachelors of Science, Fisheries Science. Oregon State University. 1995

Tribal fisheries biologist. FTE 2080 hrs. Duties include implementing assist with project design, and field collections, supervising field crews and developing field assignments, analyzing and interpreting all habitat data and fisheries data.

Section 10. Information/technology transfer

Project results can be found in quarterly and annual reports to Bonneville Power Administration. Information will be shared with local watershed councils (Harney County and Malhuer-Owyhee). These results will also be submitted for peer reviewed journal articles. The results will also serve

as an internal document for the Burns Paiute Tribe Natural Resources Department and any other interested parties.

Congratulations!